



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 14, 2005

Carl Pope, Treasurer
America Coming Together
888 16th Street NW, Fourth Floor Suite 1120
Washington, DC 20006

Response Due Date:
February 14, 2005

Identification Number: C00388876

Reference: 12 Day Pre-General Report (10/01/04-10/13/04)

Dear Mr. Pope:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30

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days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))
The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))

Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

-Schedule H1 and H2 of your report discloses adjusted allocation ratios for the administrative, voter drive and fundraising categories for the 2004 election cycle. Schedule H4 of your report discloses the following corrective transfers to your non-federal account:

America Coming Together-NF Act	Ratio Adj. for Admin to 12/88 Split	10/13/04	\$4,640,907.98
America Coming Together-NF Act	Ratio Adj. for FRP to 12/88 Split	10/13/04	\$1,451,725.15
America Coming Together-NF Act	Ratio Adj. for VDR to 12/88 Split	10/13/04	\$38,779.72

FEC calculations determine the total amount of the corrective transfer(s) to your non-federal account for the adjusted ratios of 12% federal 88% non-federal should be \$6,384,394.41. In addition, please note that a corrective transfer of an adjusted fundraising ratio must be made within 60 days after the date of the event. 11 CFR §106.6(d)(2) Please transfer these apparent excessive non-federal funds from your federal account back to your non-federal account or provide clarifying information regarding this discrepancy. While the Commission may take further legal action concerning any impermissible overpayments by the non-federal account, your prompt action will be taken into consideration. 11 CFR §106.6(c)(2)

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-Schedule H4 of your report discloses voided or returned checks for expenditures made during this or previous reporting periods. However, you have failed to disclose a transfer-out for the non-federal portion of these voided checks issued for allocable expenses. Please provide clarifying information regarding the non-federal portion and, in addition, please clarify if and when these checks were reissued. If they were not reissued, please clarify the steps your committee has taken to account for the federal portion of these voided or returned checks in order to avoid the acceptance of a prohibited in-kind contribution.

-On Schedule H2, you disclose the ratio for "FRP 10/1/04 -10/13/04" to be the same as previously reported; however, it appears that this activity/event was not previously reported. Please amend your report to clarify this discrepancy. 11 CFR §§104.10 and 104.17

-Schedule H2 of your report indicates that your committee participated in "FRP 10/1/04 -10/13/04" and "FRP Effective 10/14/04" activities or events during the reporting period. However, there are no corresponding disbursements reflected on your Schedule H4. Note that you need not include activities on Schedule H2 if there are no corresponding payments made for the activity during the reporting period. If any disbursements were incorrectly reported, you should file an amended Schedule H4 with the correct activity or event identifier, or provide clarifying information regarding the activities on Schedule H2.

-Schedule H4 discloses disbursements for "FRP" which are categorized as Fundraising; however, Schedule H2 does not include the allocation ratios for this activity. Please amend Schedule H2 to disclose the omitted ratios.

-On Schedule(s) H4 supporting Line(s) 21(a)(i) and 21(a)(ii) of the Detailed Summary Page, you have not included the full name and/or mailing address for several vendors listed. Please amend your report accordingly.

-Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your report to clarify the following description(s): "CHECK VOIDED/ Credit" and "Entertainment". For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

-Please clarify all expenditures made for "Catering/Facilities", "Photography" and "Telemarketing" on Schedule(s) H4. If a portion or all of these expenditures were made on behalf of specifically identified federal

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candidates, this amount should be disclosed on Schedules B or E supporting Lines 23 or 24 and include the amount, name, address and office sought by each candidate. 11 CFR §§104.3(b) and 106.1

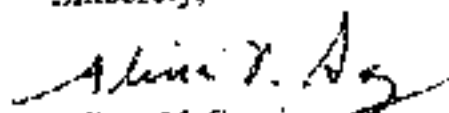
-Schedule H4 of your report discloses a payment to Thunder Road Group LLC, which is categorized as an Administrative expense; however, the purpose of disbursement disclosed is "Polling". Please be advised that payments made for your committee's generic voter drive activities should be categorized as a Voter Drive expense on Schedule H4. Please amend your report to clarify the appropriate category for this activity or provide clarifying information regarding this apparent discrepancy.

-Schedule H4 of your report discloses payments for "Petty Cash for Canvass Labor." Please be advised that a political committee may maintain a petty cash fund out of which it may make expenditures not in excess of \$100 to any person per purchase or transaction. 11 CFR §102.11 Please provide clarifying information regarding these transactions.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1153.

Sincerely,



Alissa V. Sagri
Senior Campaign Finance Analyst
Reports Analysis Division

